

## Memorandum

Date: April 10, 2014

To: Urban Village Development Commission

CC: Dan Hayes, JR Hayes and Sons, LLC  
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Al Fure, Triad Associates  
Ryan Kohlmann, Triad Associates

From: Mike Martin, DSD Associate Planner  
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Dan Ervin, DSD Engineering Consultant

Subject: Preliminary Plat – Talus Parcels 7-9  
File No: PP14-00001

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In response to the questions and comments raised at the April 1, 2014 meeting of the Urban Village Development Commission and from written communication (letters, email) received by the City, Staff is providing the following information:

**1. Walls:**

**Issues:** Tall walls do not seem in line with the Talus Goals or Guidelines.  
Who will maintain the walls?  
Will the walls be able to hold up hill?  
Walls should be built so that they are not climbable.  
How will trees planted adjacent to walls affect wall integrity?

***Tall and long walls do not seem in line with the Talus Goals or Guidelines.***

Retaining walls are necessary in this parcel to create buildable pads for buildings and to create a viable public street network.

The walls have not been designed yet and that will occur after the Preliminary Plat is approved. Therefore, specific wall design details have not been provided, nor have they been approved. In general, the walls must be constructed so that they meet building code standards and are a suitable component of the foundation and stability of the adjacent buildings. In addition, the walls must be serviceable and replaceable and those elements would be defined and enabled in the Final Plat. **Condition 8** has been revised to clarify expectations.

Concerning tall, long walls, Appendix B (Urban Village Design Guidelines) of the Development Agreement recognizes that single walls will be used in cases where the terracing of walls isn't practical. Specifically, walls that range from 10' to 25' tall are proposed on the east and west sides of Parcel 9, along the north side of Parcel 8's road, and the west side of Shangri-La Way between Parcels 8 and 9 (see below). In addition, a wall that ranges from 10' to 50' is proposed along the east side of Parcel 7. The Parcel 7 wall, the tallest and longest of those proposed, has been located in an area where the community and visual impacts are minimized. This wall is unlikely to be seen off-site (it is obscured by native growth trees to the east of the wall) and also unlikely to be seen within the developed areas of the project (unless one chooses to hike along the base of the wall).

In most cases, terracing of these walls wouldn't reduce their collective height and thus single walls are appropriate. In these locations the walls are installed on ground with a steep natural slope and the single wall creates flat and serviceable space behind the wall. Substituting a terraced wall in these locations would "chase" the natural grade up-hill which would result in a sequence of walls that are, at a minimum, the same height as a single wall and in some cases higher overall without usable or serviceable flat spaces between the walls. In other words, terraced walls are suitable for locations with abrupt changes in grade or more gentle grades but not in areas with a continually rising slope such as this area. Additionally, terraced walls would likely result in additional earthwork and grading (with a reduced developable area) and a larger environmental impact.

***Who will maintain the walls?***

The preliminary plat states that walls will be owned and maintained by the Talus Homeowners Association. The Homeowners Association must agree to accept the wall parcels however, and it is possible that an alternative ownership arrangement must be accommodated if the HOA elects to not accept the walls. Staff has recommended additional language within Preliminary Plat Condition #8 to clarify the fate and maintenance of the walls and wall tracts. This might include

a sub-HOA composed of the owners affected by the walls (which would be established by the applicant during Final Plat processing) or a separate organization bound by an agreement that ensures maintenance, repair and replacement of the walls. This would also be established by the applicant during Final Plat and approved by the City. The rights and obligations of those properties affected by the walls will be clearly identified on property Title.

***Walls should be built so they are not climbable.***

Staff agrees and this requirement will be enforced during the wall design and approval.

Applicant: The applicant concurs with staff response.

In addition, the applicant would like to address several categories of concern, as follows:

***ARE TALL WALLS IN ALIGNMENT WITH TALUS GOALS AND GUIDELINES?***

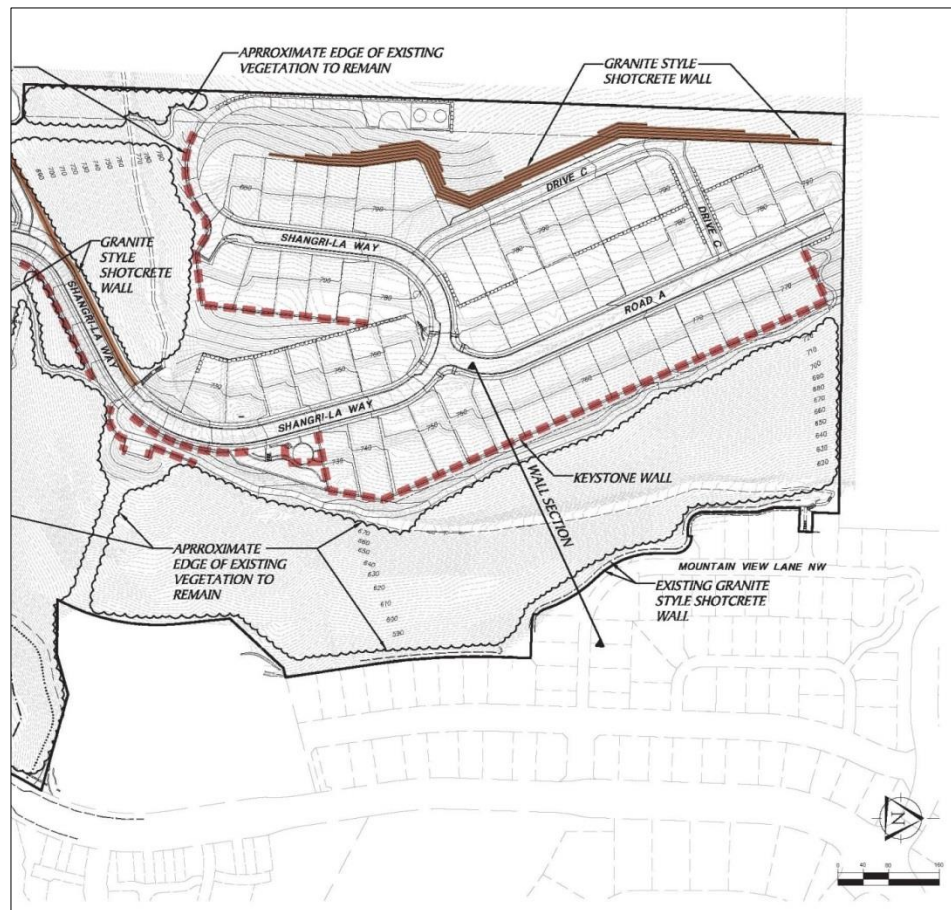
The Mountain Village character of development results in parcels which are separated by open space areas. In a mountainous terrain this will require the use of walls to preserve open space areas while making efficient use of the land. “4.0 General Community Goals, Goal 1 excerpts; The Urban Village is defined by.. discernible edges, efficient utilization of land and accessible open space...” “Talus will be an urban village adapted to reflect the mountainous terrain of the site. The result will be an urban village with a mountain village character. Generally this means development that conforms to the topography of Cougar Mountain, provides large areas of open space, relates the built environment to this open space...”

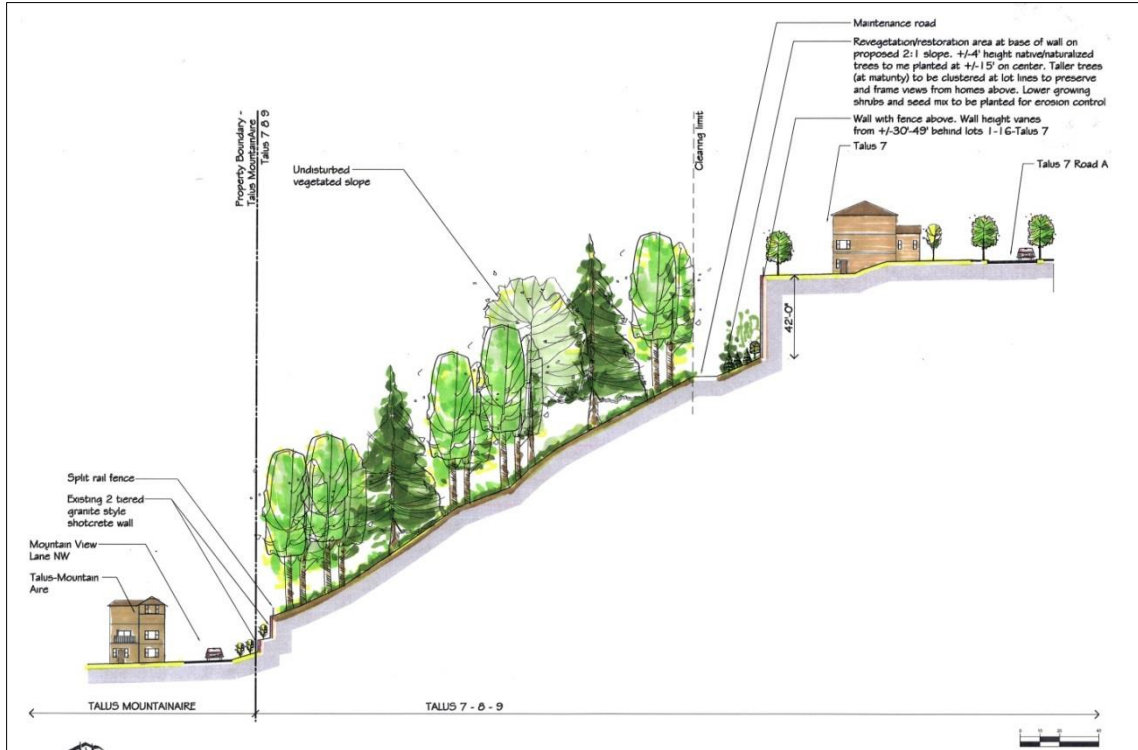
The clustering of development in parcels separated by open space areas distinguishes Talus from other Master Planned Communities in the area. Achieving urban densities without mass grading the majority of the site is a challenging aspect of developing to meet the Mountain Village character. As a result walls are a necessary component to achieve the density goals while preserving large areas of open space. But having open space in proximity to the development parcels is a key reflection of Goal 4: Preserve and protect the natural environment within East Village. Excerpts from Goal 4: “The natural environment is one of Talus’ greatest assets. Finding the balance between the preservation of natural open space and the development of a livable, self-sufficient community is a challenge. This challenge has been met at Talus by dedicating approximately 73 percent of the land as open space including an approximately 388 acre Native Growth Protection Area (NGPA) south of West Fort Tibbetts Creek and approximately 71 acres of open space generally located between development parcels.”

With such limited land remaining, walls are seen throughout Talus as a necessary part of achieving this balance.

### **WALL DESIGN CONSIDERATIONS – VISUAL IMPRESSIONS AND SCREENING**

The tall fill wall along the east edge of Parcel 7 will be screened by the existing open space area as depicted in the section shown below. As shown in the section, the open space will screen the wall from near or far viewpoints. In addition, it will be screened by new plantings at its base to soften its appearance for hikers moving along the new trail. The location of the section is shown in the first image. The to-scale cross section is shown in the second image. The homes in the Mountaineer Neighborhood are set down below an existing wall as shown in the section. The landscape screen referenced in the proposed condition is shown at the base of the wall.





A similar wall with a similar open space can be seen along SR 900 just north of the Talus entrance as depicted in the following photo (left). The second image is of a similar wall with screen plantings at the base. The wall in the image is approximately 25 feet tall (right)





The following photo shows the open space buffer which will remain as viewed across the Mountainaire neighborhood as viewed from Shangri-La Way.



Cut walls shown in the proposed plan will be designed as top/down soil nail walls as described in Ted Schepper's presentation at the UVDC workshop. These walls will be finished to resemble a natural stone face as depicted in the following photo from the Mountainaire neighborhood:



## ***WALL DESIGN CONSIDERATIONS – STRUCTURAL DESIGN***

MSE walls and Soil Nail walls have become a mainstay of the construction industry over the last two decades. Many examples of 20 to 50 foot MSE fill walls can be found in Talus, Issaquah Highlands and throughout the Eastside. A 70 foot MSE wall was constructed as a part of the “s curve” reconstruction of I-405 in Renton. Soil nail walls are routinely used for creating stable cut faces in permanent shoring of high rise construction and in earthwork cut situations similar to the situation in this project. There are a number of examples within Talus of this type of wall (Mountaineer and Rose Crest) and is the same wall used by WSDOT in its last phase of improvements to SR 900 between Newport Way and the Talus entrance.

The proposed wall design involves tried and true design and construction practices and will be reviewed by Professional Engineers experienced in wall design during the utility permit design and approval phase.

## ***WALL DESIGN CONSIDERATIONS – A FEW ADDITIONAL THOUGHTS***

- Tall walls form an effective separation from development and wildlife in adjoining open space areas.
- Trails at the base of walls elsewhere in Talus form a valued separation of the public and private spaces. Residents interviewed have preferred trails that cannot be seen from their rear yard or restrict views from the trail into the rear yard.
- Building a single system is a more simple approach and the design considers the height.

Conclusion: Staff recommends revising Preliminary Plat Condition 8 as follows:

### **REVISED CONDITION 8:**

“Where it is not practical to terrace walls, long and/or tall walls will be articulated, add visual interest to the community, and use landscape to soften the wall and transition the scale of the wall where pedestrians are nearby. For instance, at the base of the eastern wall in Parcel 7, landscaping, which includes the use of coniferous trees where feasible, shall be placed between the base of the wall and the trail in order to reduce the wall’s scale and presence to pedestrians. In addition, walls must be 1) owned and maintained by the Talus HOA (an election by the Homeowners Association), or 2) owned and maintained by a sub-HOA

that meets City standards for financial viability, or 3) by another group or organization with the ability to access and assess individual lots for the protection, preservation and eventual replacement of the walls. Consideration must be given to, and demonstrated on the wall design plans, that a method for the eventual replacement of the walls is accommodated in the wall design and the available property above and below the wall. This will be reviewed enforced with during the Wall permits and the Landscape Permit.”

## 2. Tract I

**Issues:** What is the City going to do with Tract I?

**Staff:** Per Section 1 of the First Amendment to the East Village (Talus) Development Agreement, a portion of Parcel 9 is to be provided (at no cost to the City) for use as the site of up to a 10 unit sustainable housing project; or, as a recreation space for use by the public. The dedication of Tract I with this preliminary plat is provided in accordance with a requirement to the First Major Amendment to the Development Agreement. At this time, the City has not determined how Tract I will be developed in the future.

**Applicant:** The Applicant concurs staff's response.

**Conclusion:** No changes are recommended to the proposed approval conditions.

## 3. Traffic and roads

**Issues:** Do the roads have sufficient capacity to handle 153 new residential lots?  
Why are dead end streets being proposed/allowed?  
Who will own and maintain the roads?

**Staff:** ***Do the roads have sufficient capacity to handle 153 new residential lots?***

Yes, there is currently unused traffic capacity within the road network for Talus and some unused road capacity will remain following the build-out of this plat.

***Why are dead end streets being proposed/allowed?***

Generally, the use of dead-end streets is discouraged within Talus. However, because of topographic restraints and because the dead-end streets are proposed near the perimeter edges of Talus, their use has been approved at the end of Drive B (Parcel 8) and at the end of Shangri-La Way at the intersection with the access road to the proposed reservoirs. Additionally, Road A (within Parcel 7) dead-ends at the northern project boundary, however the road could be extended upon such time that access is needed to the parcels to the north. This satisfies a requirement to State that prohibits the creation of land locked parcels.



### ***Who will own and maintain roads?***

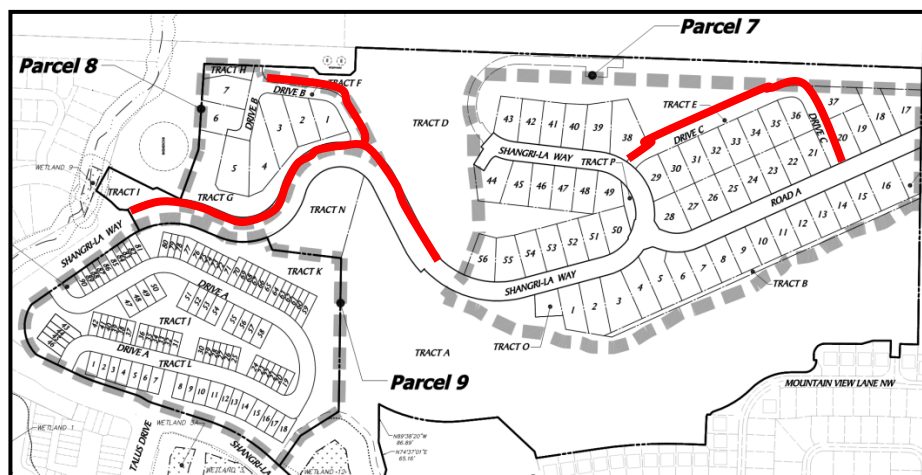
All roads within the plat are proposed to be privately owned with the exception of Shangri-La Way and Road A (Parcel 7). Public roads will be maintained by the City and private roads will be maintained by the Home Owner's Association (or other entity as determined with the final plat).

Applicant: The applicant concurs with staff response.

Conclusion: No changes are recommended to the proposed approval conditions.

#### **4. Sidewalk removal on new roads**

Staff: Sidewalk removal along select streets proposed with this plat was approved in the locations shown below through Administrative Minor Modifications which were previously approved by the DSD. Sidewalk removal was permitted in these select locations in order to limit the amount grading necessary to accommodate the full road sections and because active uses aren't proposed on the side of the road where the sidewalks would otherwise be present. Pedestrian circulation through the plat will not be adversely impacted by these modifications as all developed areas within the plat have sidewalks on at least one side; and, as all proposed residences within the plat have abutting sidewalks.



Locations where sidewalks may be removed on one side of street only.

Applicant: The applicant concurs with staff response.

Conclusion: No changes are recommended to the proposed approval conditions.

## 5. Tracts and open space areas

**Issues:** Who will own and maintain all of the tracts and open space areas within the plat?  
Invasive plants have established in the areas that were previously cleared – how will this be mitigated?  
Will previously logged areas that are not used for development of this plat be revegetated?

**Staff:      *Who will own and maintain all of the tracts and open space areas within the plat?***

The open space areas and tracts, with the exception of Tract I, are proposed to be owned and maintained by the Talus Homeowner's Association. A tract ownership and use table is shown on Sheet 1 of the preliminary plat drawings. During the review of the final plat, the applicant will be required to provide documentation from the Talus Homeowner's Association stating the Association is willing to accept the tracts.

*Will previously logged areas that are not used for development of this plat be revegetated?*

Yes. Any previously logged area that is not already planned for lot development infrastructure or recreation space will be revegetated with non-invasive species. See New Condition 27 and Revised Construction Condition 54 below.

The photos below demonstrate the area in pre and post logging conditions.



Talus Parcels 7-9 (pre-logging, 2005)



Talus Parcels 7-9 (post-logging, 2007)

*Invasive plants have established in the areas that were previously cleared – how will this be mitigated?*

The Master Developer is required to prevent invasive plants from establishing. The City is aware that some invasive plants have taken root and this will be addressed through Construction Condition 9 and New Condition 27 below:

Construction Condition 9:

“Any cleared land that sits idle for 6 months shall be revegetated, consistent with the phasing plan; however at no time shall situations exist which might contribute erosion or off-site sedimentation. Any revegetated areas shall be maintained for 3 years.”

Applicant: The applicant concurs with staff response.

Conclusion: Staff proposes revising **Construction Condition 54** and adding the following new preliminary plat condition:

**REVISED CONSTRUCTION CONDITION 54:** Any tract in this plat whose primary purpose is open space and which has been cleared, shall be landscaped to prevent erosion and to enhance the overall appearance of the community. Landscaping shall include groundcovers, shrubs, and ~~possibly~~ trees, in a hydroseed mix. Trees selected shall either not be tall at maturity or shall be located to frame rather than block views.

**NEW CONDITION #27:** Any previously cleared land shall be replanted with native, non-invasive trees and plants prior to the acceptance of open space and recreation tracts by the Talus Homeowner’s Association. Additionally, the applicant must prepare a plan for the removal of established invasive plant species within open space areas. The City must approve the plan and it must be implemented prior to the acceptance of any open space and recreation tracts.

## 6. Recreation areas and opportunities

**Issues:** What is the usable (flat area) of Tract O?  
What amenities will be provided with the various recreation spaces?  
What can be done to prevent balls, Frisbees, etc. from going over the fence in Tract O?

Staff: The Urban Design Guidelines state that each parcel will have one or more shared open spaces placed in prominent locations; and, that all residences will be within close proximity to at least one community gathering area. This has been met as follows:  
Parcel 7: Tracts O and P recreation/open space tracts  
Parcel 8: Tract N recreation/open space tract sited above proposed stormwater vault

Parcel 9: Neighborhood Trail (hillclimb) that features several overlook areas; Tract N is also within close proximity to Parcel 9 and is connected by a separate Neighborhood Trail.

During the review of the plat, staff recognized that additional recreation area was necessary to serve the residents of Parcel 7 in order to provide for more active recreation uses.

Preliminary Plat Condition # 21 was added to either add more useable space in Tract O; or, to provide an alternative area within Parcel 7 that is capable of providing a more diverse variety of recreation activities.

Lastly, review of the specific recreational elements within the various Tracts is not a component that is reviewed with the preliminary plat. Staff does look at the overall concept of the proposed open space and recreation areas to ensure that the open spaces and recreation areas are generally consistent the Urban Design Guidelines and that the tracts are sized to accommodate sufficient and appropriate activities. The applicant did provide some level of detail pertaining to the recreational elements proposed and this is discussed in the Staff Report and below. Further review shall occur with the Administrative Site Development Permit(s) subsequent to the plat.

Concerning balls, Frisbees, etc., going over the tall will in Parcel 7, this issue will be addressed during the ASDP and Landscape permit review for the Tract O recreation area.

Applicant: The applicant concurs with staff response.

Conclusion: No changes are recommended to the proposed approval conditions.

## **7. Trails:**

**Issues:** Will trails outside of Talus be brought up to standard?  
Who will own and maintain the trails? Is public access allowed on the trails?  
How will steps in trails be constructed? Some existing steps are not holding up very well.  
How/when will community be informed if trails are being close due to construction?  
What trail types are proposed for the various trails in the plat?  
How many new feet of trails will be constructed?  
Will trail wayfinding signage be included with the trails?

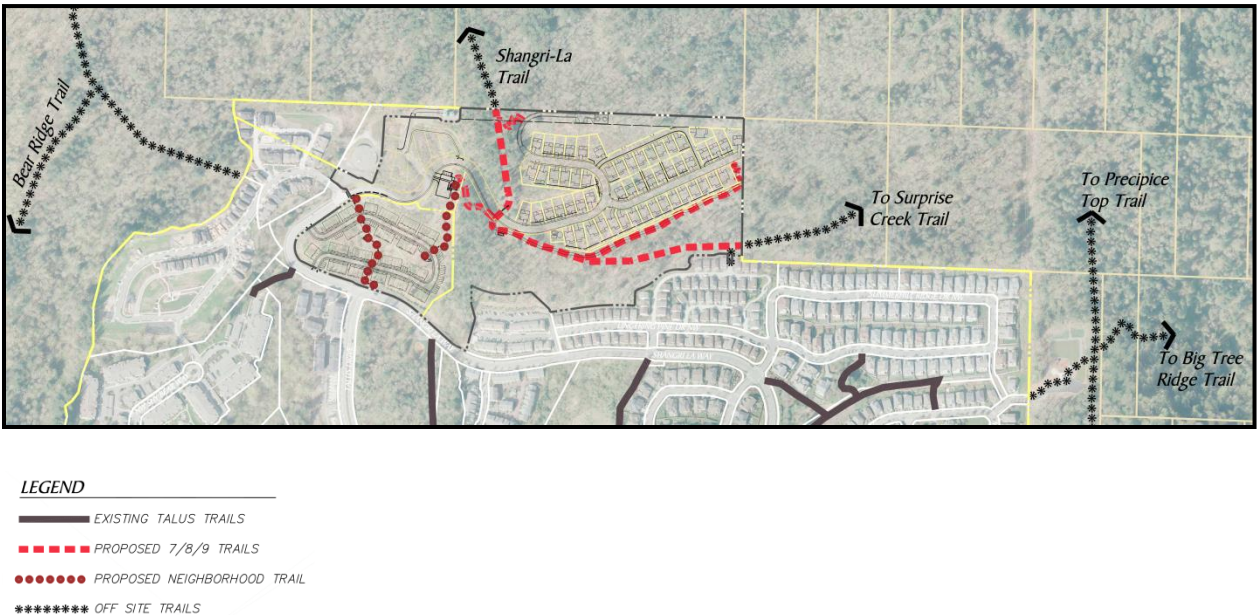
Staff: Trails outside of Talus are outside of this preliminary plat and are not owned by the applicant or the City. Neither the applicant nor the City has the authority or permission to modify the trails outside of the boundaries of the application.

Trails, either existing or proposed trails, will be provided within the proposed open space tracts. These tracts will include language on the final plat to allow public access to the trails located within these private tracts. As noted above, the tracts are proposed to be owned and the trails will be maintained by the Talus Home Owner's Association.

Details regarding step construction have not been finalized with the applicant. As provided in their presentation, it appears that a constructed step with wooden timbers and gravel could be proposed for the trails. This design is generally consistent with the Appendix Q (Landscaping) construction details for Timber Stairs and Timber Stair Landings. The final design of the stairs will be verified with the construction permits for compliance with the standard. Other stair design alternatives acceptable to the City and the HOA may be considered.

Two types of regulated trails, as provided for by Appendix R, are proposed. Firstly, Neighborhood Trails are proposed for the hillclimb in Parcel 9; and, for the trail connecting Parcel 9's north side to the recreational facilities in Tract N. Neighborhood Trails are generally a hard surface. The remaining trails within the plat are the Forest Path type and feature a soft surface (usually a coarse mulch or wood chips). The tread width of the Forest Path trail is 4 feet with an additional 8 feet provided for the trail corridor. It is anticipated that the proposed trail types and locations are provided in the map below.

Regarding the length of new trails to be constructed, there is approximately 1,300 feet of existing trails within the footprint of Talus Parcels 7,8,9. The project proposes to add an approximately 2,600 linear feet of trails.





If trails must be closed during construction activities, the applicant is encouraged to provide notification to the community.

Finally, per Construction Condition #59, trail wayfinding signage shall be provided in order to assist users with trail orientation.

Applicant: The applicant concurs with staff response.

In addition, notice of pending trail closures will be posted onsite and will be coordinated with the HOA for publication on the Talus website. During construction, access will be restricted to the construction site (including trail connections) due to safety concerns. The applicant intends to facilitate access to the existing trails during NON WORKING HOURS. Through signage, the public will be encouraged to respect restricted access to construction areas while enjoying continued access to the public trail network.

Conclusion: No changes are recommended to the approval conditions.

## **8. Western buffer modifications**

Staff: In accordance with the Development Agreement and AMM04-012EV, utilities (in this case a water reservoir, water pipelines, related underground support utilities and an access driveway) are allowed in the buffer with conditions. The conditions will be enforced during the Utility Permit phase.

Applicant: The applicant concurs with staff response.

Conclusion: No changes are recommended to the proposed approval conditions.

## **9. Parking:**

**Issues:** How will ADA and delivery parking be handled?  
How will parking be handled/controlled to prevent unwanted trailhead parking within areas of this community?

Staff: In a preliminary plat, ADA parking is not required and delivery parking is also not required. Compliance for ADA parking requirements is reviewed with the construction permits. ADA parking may be required if parking is proposed at the recreation area in Tract N. This would be reviewed with the Administrative Site Development Permit and Building Permit for the recreation facilities within Tract N.

Regarding unwanted trailhead parking, Appendix Q (Parking) does not allow parking spaces adjacent to Neighborhood Trails and Forest Paths. The Development Agreement does allow a maximum of 10 parking stalls at trailheads for Regional and Multi-purpose trails, however, those trails are not applicable in this instance.

Applicant: The applicant concurs with staff response.

In addition, there will be limited parking in the vicinity of the Shangri-La trail crossing of Shangri-La Way which has been the approach to discourage unofficial trailhead parking in all prior developments within Talus in the vicinity of trail connections (Parcel 5A, 5C, 6B and Parcel 10/11).

Conclusion: No changes are recommended to the proposed approval conditions.

## **10. Potential Annexation Area**

Staff: The City received a request by the Master Developer on March 5, 2014 to annex a portion of the property to the north of Parcels 7-9 known as the East Cougar Mountain Annexation Area (PAA). As part of the request, the Master Developer is seeking for the PAA to become part of the Talus Urban Village and for the properties to be assigned under the Urban Village-East Village (UV-EV) zoning designation. This request is currently being considered by the City Council.

Approval of the request is contingent upon the City Council's decision as to whether or not to pursue annexation. If the City Council elects to move forward with an annexation application, the case would then be heard by the State's Boundary Review Board.

In the event that the Boundary Review Board heard and approved the annexation application, the City Council would need to approve a Major Amendment to the Development Agreement in order to bring the newly annexed parcels into the Talus Urban Village.

Lastly, part of the review of a preliminary plat application is to ensure that connections to adjacent parcels are provided so as to not create any land locked properties. This requirement has been provided for by way of Road A within Parcel 7 which extends to the northern property boundary.

For additional information, please contact Trish Heinonen, Policy Planning Manager at (425) 837-3095; or by email at: [trishr@issaquahwa.gov](mailto:trishr@issaquahwa.gov).

Applicant: The applicant concurs with staff response.

Conclusion: No changes are recommended to the proposed approval conditions.

## 11. Slope stability and site conditions

**Issues:** In light of the recent landslide at Oso, some residents have expressed concerns about the potential for landslide activity at Talus.

**Staff:** The site is sloped and it is the applicants' intention to modify the slope to create buildable pads for houses and a viable public street network. The criteria for modifying the slope and the process for designing and approving the modifications are contained in the Development Agreement and in City Code. In accordance with Section 24.0.C.5 (Steep Slope Hazard Areas - Alterations), *The Designated Official may allow alterations and/or elimination of steep slopes through approved grading activities provided that slope stability is maintained or enhanced.* The design requirements are required so that the alterations result in a slope that is "maintained or enhanced" and are included in a Critical Area Study that has been approved by the City (file no. SEP14-00001 approved on March 24, 2014). City Code requires that the Critical Area Study be prepared by a Registered Professional Engineer and that it be reviewed by **two** separate Registered Professional Engineers. This work has been completed and the grading and revised slopes will be constructed to meet the criteria listed above.

**Applicant:** The applicant concurs with staff response.

**Conclusion:** No changes are recommended to the proposed approval conditions.

## 12. Timing and phasing of project

**Issues:** What is the expected timeframe for project buildout? What happens if construction progress ceases for six months or more following initial commencement?

**Staff:** The applicant has stated that they wish to begin construction of site infrastructure (roads, walls, utilities, etc.) during the spring or summer of 2014. Construction of homes could not begin prior to approval of the Final Plat and the Applicant has not provided a firm timeline as to when they intend to submit their application, though Staff anticipates that the final plat application would be submitted in the summer or fall of 2014. Upon approval of the final plat construction of all, or any portion, of the project could commence. In order to anticipate and mitigate impacts of the construction to the Talus community, a construction access and staging plan will be required during the building permit review phase.

**Applicant:** The applicant concurs with staff response.

In addition, it is currently anticipated that site construction for the project would occur in 2014, finishing early in 2015. The final plat would be recorded in early 2015 with construction of homes following soon thereafter. Home construction could be complete as early as 2017 depending on market conditions.

Conclusion: No changes are recommended to the proposed approval conditions.

### **13. Additional comments/concerns**

#### **Forest fires**

Staff: Both the Talus Development Agreement and City Code are silent on the issue of forest fire prevention and protection. The preliminary plat was reviewed by Eastside Fire and Rescue and no concerns about wildfires were raised.

Applicant: The applicant concurs with staff response.

Conclusion: No changes are recommended to the proposed approval conditions.

#### **Add additional signage to neighborhood directory**

Staff: The question was raised as to if more existing neighborhoods could be represented upon the directory signage that is already in place in the community. This concern is not within the purview of a plat review. Staff recommends that anyone wishing to change the content of directory signage to contact the owner of said signs for approval.

Applicant: The applicant concurs with staff response.

Conclusion: No changes are recommended to the proposed approval conditions.

#### **Housing design**

Staff: The architectural design of homes is regulated by the Talus Architectural Review Committee (ARC).

Applicant: The applicant concurs with staff response.

Conclusion: No changes are recommended to the proposed approval conditions.

#### **Preliminary Plat validity period**

Staff: A preliminary plat is valid for three years from the date of approval.

Applicant: The applicant concurs with staff response.

Conclusion: No changes are recommended to the proposed approval conditions.